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TO: EXAMINER LINH M. NGUYEN FROM: Norman P. Soloway
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URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY

NOTES/COMMENTS:

In re Appln. Of: SAEKI
Serial No.: 09/910,117
Filed: July 20, 2001
For: CLOCK CONTROLLING METHOD AND CIRCUIT
Group: 2816
Examiner: LINH M. NGUYEN DOCKET: NEC G226

- Received: 1. Amendment E under Rule 116 (3 pgs)
2. Comparison Figure (1 pg)
3. Notice of Appeal (1 pg)
4. Form PTO-2038 (1 pg)

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Serial No. 09/910,117
Docket No. NEC G226
Amendment E under Rule 116

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I hereby certify that this correspondence is being sent via facsimile to EXAMINER LINH M. NGUYEN of the United States Patent and Trademark Office at facsimile number (703) 827-9319, on November 10, 2003 from Tucson, Arizona.

By *Hajet Meshkini*

NPS/ALK:nm

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AMENDMENT E UNDER RULE 116

(Remarks only)

Dear Sir:

This Amendment is being filed in response to the Final Action mailed August 11, 2003.
A Notice of Appeal accompanies this Amendment.

REMARKS

The rejection of claims 1, 28 and 31 under 35 USC §102 as anticipated by Takemae et al. (U.S. Patent No. 6,194,932) is in error. In FIG. 3 of Takemae et al., the rising edge of CLK0 corresponds to the second rising edge of N4, which represents a phase shift of the first clock cycle. However, as shown in Applicant's FIG. 2, and as required by claims 1 and 28, each clock cycle of the input clock is shifted by a phase differential $\Delta\phi$, resulting in the second clock signal having a total phase shift of $2\Delta\phi$, and the third clock cycle having a total phase shift of $3\Delta\phi$, and so forth. This difference is highlighted in the accompanying Comparison Figure. As the

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Examiner will note, the Comparison Figure shows that the output clock of Applicant's invention shifts each cycle of the clock input by $\Delta\phi$, resulting in Applicant's output clock having a phase shift of $3\Delta\phi$ at the rising edge of the fourth output clock cycle, and so forth. Alternatively, the output clock representative of Takemae et al. initially shifts the input clock by $\Delta\phi_2$, but does not shift any additional cycles of the input clock, resulting in the output clock according to Takemae et al. having a phase shift of $\Delta\phi_2$ at the rising edge of the fourth output clock cycle. Thus, the Examiner can clearly see how Takemae et al. cannot anticipate claims 1 and 28, nor any claims dependent therefrom.

Turning to the rejection of claim 29 under 35 USC §103 as obvious over Takemae et al. in view of Tanis et al. (U.S. Patent No. 5,258,724), claim 29 is dependent on claim 28. The deficiencies of the primary reference Takemae et al. vis-à-vis claim 28 are discussed above. Tanis et al. does not supply the missing teachings. Thus, claim 29 is patentable for the reasons adduced above for claim 28, as well as for its own limitations.

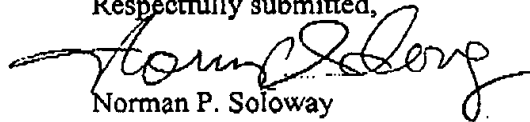
The foregoing Amendment makes no claim changes as would require further search by the Examiner. Thus, entry of the foregoing Amendment and allowance of the Application are respectfully requested.

In the event there are any fee deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our Deposit Account Number 08-1391.

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Respectfully submitted,


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SERIAL NO. 09/910,117

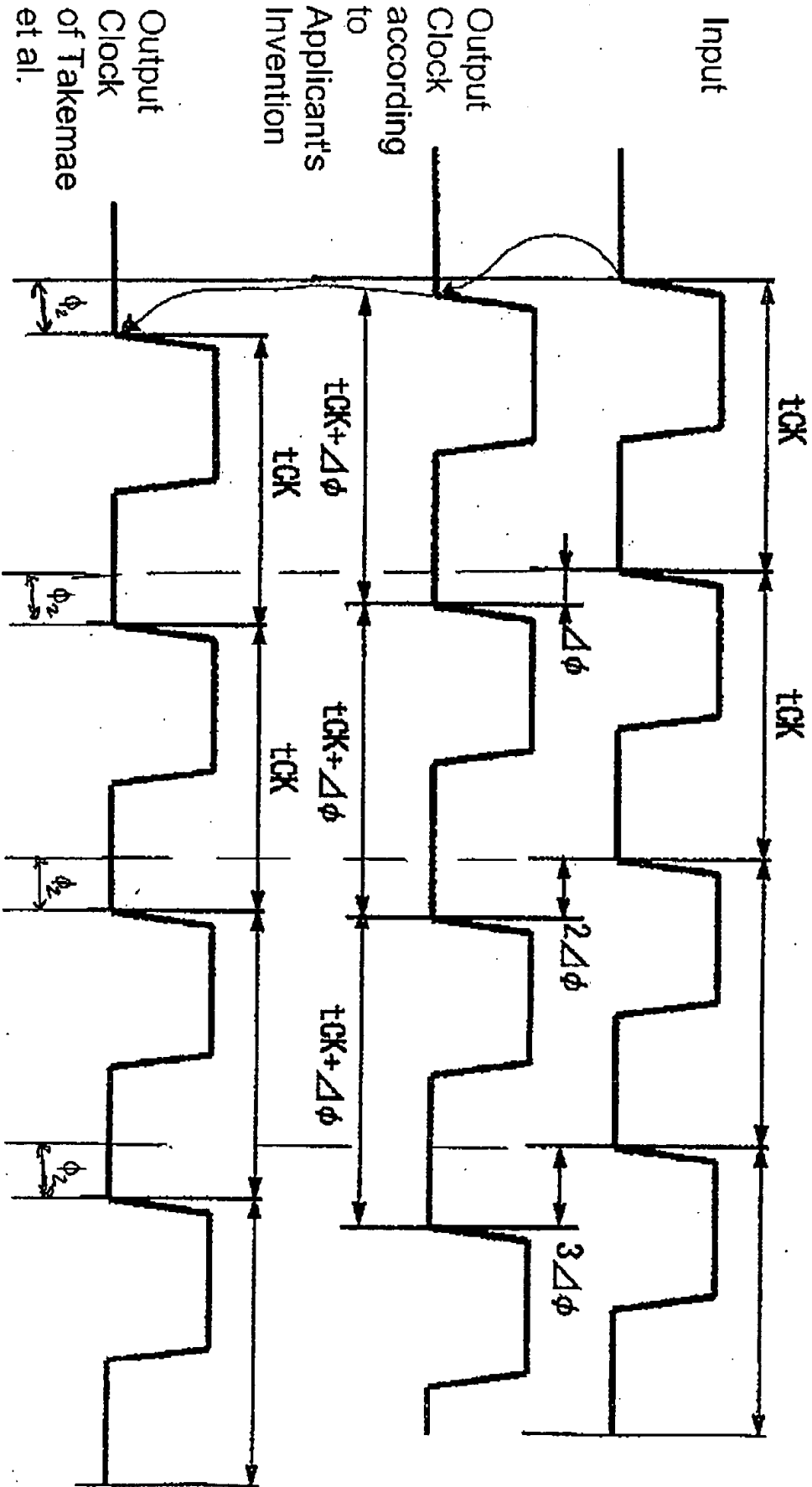
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COMPARISON FIGURE

(submitted with Amendment E under Rule 116)



COMPARISON FIGURE



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